

ORIGINAL

FILED

April 30 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

No.

STATE OF MONTANA,

Plaintiff and Appellee,

v.

DONALD D. MURRAY,

Defendant and Appellant.

FILED

APR 30 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

NOTICE OF APPEAL

Notice is hereby given that Donald D. Murray, the Appellant above-named and who is the Defendant in the cause of action filed in the Fifth Judicial District, in and for the County of Jefferson, as Cause No. DC 09-11, hereby appeals to the Supreme Court of the State of Montana from the final judgment or order entered in such action on the 8th day of March, 2010.

THE APPELLANT FURTHER CERTIFIES:


1. That this appeal is not subject to the mediation process required by Mont. R. App. P. 7.
2. That this appeal is not an appeal from an order certified as final under Mont. R. Civ. P. 54(b). If this is such an appeal, a true copy of the District Court's certification order is attached hereto as Exhibit "A."

3. That the notice required by Mont. R. App. P. 27 will be given, within 11 days of the date hereof, to the Supreme Court and to the Montana Attorney General with respect to a challenge to the constitutionality of any act of the Montana Legislature if applicable to this appeal.

4. That all relevant transcripts of the proceedings in this cause have been ordered from the court reporter contemporaneously with the filing of this notice of appeal. If all available transcripts have not been ordered, that Appellant has complied with the provisions of Mont. R. App. P. 8(3) contemporaneously with the filing of this notice of appeal.

Respectfully submitted this 30th day of April, 2010.

OFFICE OF THE STATE PUBLIC DEFENDER
Appellate Defender Office
139 N. Last Chance Gulch, 2nd Floor
P.O. Box 200145
Helena, MT 59620-0145

By: 
JOSLYN HUNT
Chief Appellate Defender

CERTIFICATE OF SERVICE

I hereby certify that I have filed a true and accurate copy of the foregoing Notice of Appeal with the Clerk of the Montana Supreme Court; and that I have served true and accurate copies of the foregoing Notice of Appeal upon the Clerk of the District Court, each attorney of record, and each party not represented by an attorney in the above-referenced District Court action, as follows:

MARILYN A. CRAFT
Clerk of the District Court
201 Centennial
P.O. Box H
Boulder, MT 59632

MATTHEW JOHNSON
Jefferson County Attorney
P.O. Box H
Boulder, MT 59632

LAURIE CRUTCHER
Official Court Reporter
P.O. Box 1192
Helena, MT 59624

DONALD MURRAY
125 Yellowstone
Whitehall, MT 59759

STEVE BULLOCK
Montana Attorney General
MARK MATTIOLI
Assistant Attorney General
215 North Sanders
Helena, MT 59620-1401

DATED: _____

4/30/2010 Sarah A. Brader

COPY

APPELLATE DEFENDERS OFFICE
P.O. Box 200145
139 N. Last Chance Gulch, 2nd Floor
Helena, MT 59620-0145
Telephone: (406) 444-9505

Attorney for Defendant/Appellant

FILED

APR 30 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

MONTANA FIFTH JUDICIAL DISTRICT COURT, JEFFERSON COUNTY

STATE OF MONTANA,)	
)	Cause No. DC 09-11
Plaintiff,)	
)	
v.)	REQUEST FOR PRODUCTION
)	OF TRANSCRIPTS
DONALD D. MURRAY,)	
)	
Defendant.)	

Pursuant to Rule 8(3), Montana Rules of Appellate Procedure, Joslyn Hunt, Chief Appellate Defender, is requesting that you prepare and deliver the transcripts for the following hearings for purposes of appeal:

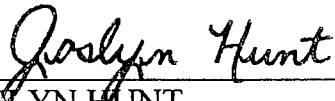
Motion to Suppress
Change of Plea/Sentencing

September 9, 2009
March 3, 2010

Upon completion of the requested transcripts, the court reporter shall serve 1 original (reduced format) plus one dvd-r containing PDF to the Supreme Court, 1 copy to County Attorney, 1 copy to Attorney General and 1 copy to the Appellate Defenders Office.

The court reporter shall also send a copy of his/her bill for services, an OPD miscellaneous claim form for appellate services and a transcript claim form to the Appellate Defender Office, Attn: Sarah Braden, at P.O. Box 200145, Helena, Montana 59620-0145.

Respectfully submitted this 30th day of April, 2010.

By: 
JOSLYN HUNT
Chief Appellate Defender

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and accurate copy of the Request for
Production of Transcripts to be hand-delivered and/or mailed to:

MATTHEW JOHNSON
Jefferson County Attorney
P.O. Box H
Boulder, MT 59632

LAURIE CRUTCHER
Official Court Reporter
P.O. Box 1192
Helena, MT 59624

DONALD MURRAY
125 Yellowstone
Whitehall, MT 59759

STEVE BULLOCK
Montana Attorney General
MARK MATTIOLI
Assistant Attorney General
215 North Sanders
Helena, MT 59620-1401

DATED: 4/30/2010 Sarah + Braden